

REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

As a preliminary matter, Applicants acknowledge with appreciation the courtesy of an interview extended by Examiners Joseph Phan and Fan Tsang on October 22, 2002. At the interview, differences between the claimed invention and the prior art were discussed. The discussion, during the interview, concerned some of the features of the present invention which are not disclosed or suggested in U.S. Patent No. 5,390,236 to Klausner.

The discussed features include, for example, "when the called subscriber establishes a *wireless* connection to the mobile answer device to listen to recorded speech messages, a *text* message is transmitted in parallel to the called subscriber." Examiners Tsang and Phan acknowledged that the prior art did not teach or suggest the above-mentioned feature. However, the Examiners noted that before the claims would be formally passed to issuance, an update search and further consideration would be required.

Claims 1-10 are presently active in this case, Claims 1, 7 having been amended, and new Claims 8-10 having been added.

In the outstanding Office Action, the specification was objected to as not having an abstract; Claim 7 was rejected under 35 U.S.C. §112, second paragraph as being indefinite; and Claims 1-7 were rejected under 35 U.S.C. §102(b) as being anticipated by Klausner.

The Office Action asserts that the present application does not contain an abstract as required under 37 CFR 1.72(b). Although the present application was filed together with an Abstract on page 10 of the present specification, in order to expedite prosecution of this application, Applicants submit herewith another copy of the Abstract. Applicants respectfully submit that no new matter is added by way of this amendment. It is believed that objections to the specification have now been overcome and a notice to that effect is respectfully requested.

In response to the rejection of Claim 7 under 35 U.S.C. §112, second paragraph, Applicants have amended Claim 7 to more clearly define Applicants' invention. Accordingly, amended Claim 7 is believed to be definite and no further rejection under 35 U.S.C. §112, second paragraph, is anticipated.

In response to the rejection of Claims 1-7 under 35 U.S.C. 102(b), Claim 1 has been amended and includes patentably distinguishing features as noted above, discussed during the 10/22/02 Examiner interview, and favorably acknowledged by Examiners Tsang and Phan. Specifically, new independent Claim 1 recites, *inter-alia*, "when the called subscriber establishes a *wireless* connection to the mobile answer device to listen to recorded speech messages, a *text* message is transmitted in parallel to the called subscriber."

Klausner discloses a telephone answering device (TAD) which includes a means of intelligently organizing voice messages, associated entered codes such as personal IDs and home telephone numbers, and information stored in the memory of the TAD. When processed with codes and personal information previously entered into the device's memory, the TAD displays the identity of the callers for each

message. A remote access device is also provided that allows the user to retrieve and display the callers' identities and select a message to be played back from remote location.

Klausner fails to teach or suggest a procedure to transmit information wherein "when a called subscriber establishes a *wireless* connection to a mobile answer device to listen to recorded speech messages, a *text* message is transmitted in parallel to the called subscriber" as recited in amended Claim 1 and favorably acknowledged by Examiners Tsang and Phan.

New independent Claim 8 also recites the above-noted patentably distinct feature. It is believed that Claim 8 and its dependent claims are also in condition for allowance.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

While it is believed that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is requested that the Examiner contact the undersigned at 703-413-3000.



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Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Gregory J. Maier', written over the printed name.

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IN THE CLAIMS

Please amend Claims 1, 7 as follows:

1. (Amended) Procedure to transmit information in connection with telephone answering service which is provided by a mobile answer device in a mobile telephone system [characterized in the steps] comprising:

that a calling subscriber is connected to the mobile answer device when a called subscriber can not be accessed;

that, when the called subscriber establishes a wireless connection to the mobile answer device to listen to recorded speech messages, a text message is transmitted in parallel to the called subscriber, which message contains the stored information.

7. (Amended) Procedure as claimed in claim 1, [characterized in that] wherein the text message is transmitted by means of a short text message service [, for instance SMS (Short Message Service) or USSD (Unrestricted Supplementary Services Data)].

Claims 8 – 10 (New)